

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Petition for Rulemaking to Define)	RM No. 10522
“Captured” and “New” Subscriber Lines)	
for Purposes of Receiving Universal)	
Service Support Pursuant to 47 C.F.R. §)	
54.307 et seq.)	

ORDER

Adopted: September 9, 2002

Released: September 9, 2002

By the Acting Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

Revised Filing Dates:

Responses Due: September 23, 2002

Replies Due: October 7, 2002

1. On July 26, 2002, the National Telecommunications Cooperative Association (NTCA) filed a Petition for Expedited Rulemaking (Petition) requesting that the Commission establish definitions for the terms “captured” and “new” in Section 54.307 of the Commission’s rules so as to limit portable high-cost universal service support to lines previously served by the incumbent local exchange carrier (LEC) or lines ordered by customers not previously served by the incumbent LEC.¹ On August 8, 2002, the Consumer and Governmental Affairs Bureau Reference Information Center issued a Public Notice inviting interested parties to file statements opposing or supporting NTCA’s petition within thirty days. In accordance with Commission rules, the due date for filing responses is September 9, 2002, and the due date for filing replies to such responses is September 23, 2002.² On September 6, 2002, the Competitive Universal Service Coalition (CUSC) filed a motion requesting a two-week extension of time to file responses to NTCA’s petition.³

¹ See National Telecommunications Cooperative Association, Petition for Rulemaking to Define “Captured” and “New” Subscriber Lines for Purposes of Receiving Universal Service Support Pursuant to 47 C.F.R. § 54.307 et seq., filed July 26, 2002.

² See 47 C.F.R. § 1.405.

³ See Competitive Universal Service Coalition, Motion for Extension of Time to File Comments, RM No. 10522, filed Sep. 6, 2002.

2. We hereby grant CUSC's request for extension of time. It is the policy of the Commission that extensions of time are not routinely granted.⁴ We find that there is good cause to extend the due dates for filing responses and replies to NTCA's petition. Specifically, the public notice incorrectly stated that the rule sections implicated by NTCA's Petition are in "Part 97, Subpart B" (which deals with the Amateur Radio Service), rather than Part 54, Subpart D (which deals with universal service), even though the caption to NTCA's petition specifically references "47 C.F.R. § 54.307 *et seq.*" Due to this confusion, CUSC and several other parties initially were unaware of the September 9, 2002, response date.⁵ Therefore, parties may require additional time to address the complex issues raised in NTCA's petition regarding the receipt of portable high-cost universal service support by competitive eligible telecommunications carriers. CUSC also states that NTCA does not object to the requested two-week extension.

3. Accordingly we grant CUSC's request. Parties may file responses by **September 23, 2002** and replies by **October 7, 2002**. For further information, please contact Sheryl Todd, Wireline Competition Bureau, Telecommunications Access Policy Division, 202-418-7400.

4. ACCORDINGLY, IT IS ORDERED that, pursuant to sections 4(i), 4(j), and 5(c) of the Communications Act, 47 U.S.C. §§ 154(i), 154(j), 155(c), and sections 0.91, 0.291, 1.46 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.46, the request for extension of time filed by the Competitive Universal Service Coalition IS GRANTED.

FEDERAL COMMUNICATIONS COMMISSION

Eric N. Einhorn, Acting Chief
Telecommunications Access Policy Division

⁴ 47 C.F.R. § 1.46(a).

⁵ See Comments filed by the Washington Utilities and Transportation Commission, RM No. 10522 (Sep. 6, 2002).